

ENTERED

November 18, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MAXIM CRUDE OIL, LLC,

Plaintiff,

V.

NOIL CORP., INC., *et al.*,

Defendants.

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CIVIL ACTION NO. 2:21-CV-00090

ORDER

Before the Court is Magistrate Judge Mitchel Neurock's Memorandum and Recommendation ("M&R"). (D.E. 145). The M&R recommends that the Court:

- Grant Plaintiff Maxim Crude Oil, LLC's motion to enforce the settlement agreement;
- Direct Maxim to submit a proposed judgment within fourteen days after granting the enforcement motion;
- Enter judgment in this case;
- Grant Maxim's motion for attorney fees;
- Direct counsel for Maxim to submit an affidavit and an accounting of the fees it has expended to enforce the parties' settlement agreement within fourteen days after granting the enforcement motion; and
- Deny Maxim's motion for sanctions.

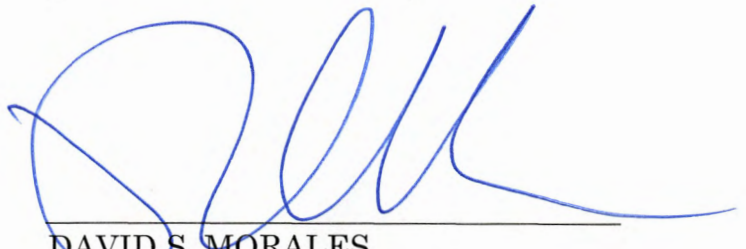
Id. at 12–13.

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is

clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam). Having reviewed the proposed findings and conclusions of the Magistrate Judge, the parties' filings, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 145).

Accordingly, the Court **GRANTS in part and DENIES in part** Maxim's motion. (D.E. 137). Specifically, the Court **GRANTS** Maxim's request for attorney fees, (D.E. 137, p. 4), **DENIES** Maxim's request for sanctions, (D.E. 137, p. 4), and **DIRECTS** Maxim to submit (1) a proposed judgment and (2) an affidavit and an accounting of the fees it has expended to enforce the parties' settlement agreement **on or before December 2, 2024**. A final judgment will be entered separately.

SO ORDERED.



DAVID S. MORALES
UNITED STATES DISTRICT JUDGE

Signed: Corpus Christi, Texas
November 18th, 2024